

HR 1361

RECOVER Act

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Commerce

Introduced: Mar 6, 2007

Current Status: Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 334.

Latest Action: Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 334. (Aug 3, 2007)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/1361>

Sponsor

Name: Rep. Velazquez, Nydia M. [D-NY-12]

Party: Democratic • State: NY • Chamber: House

Cosponsors (12 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Baker, Richard H. [R-LA-6]	R · LA		Mar 6, 2007
Rep. Braley, Bruce L. [D-IA-1]	D · IA		Mar 6, 2007
Rep. Gonzalez, Charles A. [D-TX-20]	D · TX		Mar 6, 2007
Rep. Grijalva, Raúl M. [D-AZ-7]	D · AZ		Mar 6, 2007
Rep. Jefferson, William J. [D-LA-2]	D · LA		Mar 6, 2007
Rep. Johnson, Henry C. "Hank," Jr. [D-GA-4]	D · GA		Mar 6, 2007
Rep. Lipinski, Daniel [D-IL-3]	D · IL		Mar 6, 2007
Rep. Melancon, Charlie [D-LA-3]	D · LA		Mar 6, 2007
Rep. Moore, Gwen [D-WI-4]	D · WI		Mar 6, 2007
Rep. Taylor, Gene [D-MS-4]	D · MS		Mar 6, 2007
Rep. Jindal, Bobby [R-LA-1]	R · LA		Mar 20, 2007
Rep. Millender-McDonald, Juanita [D-CA-37]	D · CA		Mar 20, 2007

Committee Activity

Committee	Chamber	Activity	Date
Small Business Committee	House	Reported By	Mar 30, 2007

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
110 HRES 302	Procedurally related	Apr 18, 2007: Motion to reconsider laid on the table Agreed to without objection.

Relief for Entrepreneurs: Coordination of Objectives and Values for Effective Recovery Act of 2007 or RECOVER Act -

Title I: Planning - (Sec. 101) Amends the Small Business Act to direct the Administrator of the Small Business Administration (SBA) to develop, implement, and maintain a comprehensive written disaster plan, which shall include, among other things, a description of disasters most likely to occur in each SBA region as well as an assessment of the needs to respond to each disaster. Requires the plan to be: (1) completed within 180 days after enactment of this Act; and (2) updated annually and following any incident of national significance (significant incident). Directs the Administrator to report to the congressional small business committees with respect to each update.

(Sec. 102) Directs the Administrator to: (1) conduct a disaster simulation exercise at least once each fiscal year; and (2) report to the small business committees with respect to each exercise.

(Sec. 103) Requires: (1) the Administrator to maintain a disaster reserve corps of at least 1,000 individuals to perform functions related to disaster response; (2) each such individual to be appropriately trained; and (3) the Administrator to report to the small business committees with respect to the corps.

(Sec. 104) Directs the Administrator to: (1) develop long-term plans to secure additional office space to accommodate an expanded workforce in times of disaster; and (2) report such plans to the small business committees.

(Sec. 105) Requires the Administrator to ensure that SBA disaster programs are coordinated, to the maximum extent practicable, with the disaster assistance programs of the Federal Emergency Management Agency (FEMA). Requires a report from the Administrator to the small business committees concerning SBA regulations to ensure that each application for SBA disaster assistance is submitted to the SBA as quickly as practicable or directed to the appropriate agency.

(Sec. 106) Establishes in the SBA an Associate Administrator for Disaster Assistance to: (1) develop and implement the SBA's plans for disaster response; and (2) direct the SBA's training exercises with respect to disasters. Establishes a Director for Disaster Lending to direct all aspects of the SBA's disaster lending program.

Title II: Lending - (Sec. 201) Authorizes the Administrator to: (1) provide disaster loans to certain private nonprofit organizations with respect to a significant incident; (2) make or guarantee a mitigation loan to a small business for damage or destruction due to a significant incident; and (3) provide or make such loans for FY2006 with respect to a nonprofit or small business located, as of August 28, 2005, in an area affected by Hurricanes Katrina, Rita, or Wilma.

(Sec. 202) Directs the Administrator to: (1) develop, implement, and maintain a centralized information system to track communications between SBA personnel and applicants for disaster assistance; and (2) ensure that each applicant receives follow-up communications from the SBA at all critical stages of the application process.

(Sec. 203) Requires the Administrator to carry out an Immediate Disaster Assistance program under which the SBA participates on a deferred basis in 85% of the balance of financing of a loan less than or equal to \$25,000 for a business affected by a disaster.

(Sec. 204) Authorizes the Administrator, in making disaster mitigation loans, to provide to the recipient an option to defer loan repayment for up to four years. Prohibits the Administrator from requiring repayment until 12 months after the final loan disbursement is made.

(Sec. 206) Provides a process for the SBA disbursement of disaster mitigation loans, with separate processes for loans: (1) of up to \$150,000; (2) from \$150,000 to \$500,000; and (3) greater than \$500,000.

(Sec. 207) Prohibits the Administrator, in making a business disaster mitigation loan of \$100,000 or less, from requiring the borrower to use the borrower's home as collateral.

(Sec. 208) Authorizes the Administrator to carry out a program to permit banks and other financial institutions to process, approve, close, and service disaster loans for a fee of up to 2% of the total loan amount. Allows such program during any period: (1) of a significant incident; or (2) which the average time for the SBA to approve disaster loans in response to any single disaster is 30 days or more.

(Sec. 209) Directs the Administrator to ensure that SBA has in place a facility for disaster loan processing that, whenever the SBA's primary processing facility becomes unavailable, is able to take over such processing within two days. Authorizes appropriations.

(Sec. 210) Authorizes the Administrator to make grants of up to \$100,000 to small businesses located in disaster areas affected by Hurricanes Katrina, Rita, or Wilma that experienced specified housing and/or infrastructure losses, upon such businesses' certification to reestablish in the same areas. Authorizes appropriations.

(Sec. 211) Authorizes the Administrator to carry out a program under which the Administrator makes grants to individuals who: (1) are victims of a declared disaster; (2) receive disaster assistance because of that disaster; (3) receive disaster benefits other than the SBA assistance; and (4) are required to remit those benefits to the SBA because of a duplication of benefits. Permits grants to be up to the amount required to be remitted by the individual.

(Sec. 212) Increases from \$1.5 million to \$3 million the maximum disaster loan limit for individual borrowers.

(Sec. 213) Prohibits the Administrator, in making disaster loans, from requiring the borrower to pay any non-amortized amount for the first five years after repayment begins.

(Sec. 214) Authorizes the Administrator to make economic injury disaster loans to private nonprofit organizations.

(Sec. 215) Allows the \$3 million maximum disaster loan limit to be waived in the case of applicants that will constitute a major source of employment due to changed economic circumstances.

(Sec. 216) Increases from 90 days to one year after an essential employee of a small business is released or discharged from active duty after required military service the period during which the affected small business may apply for economic injury assistance due to such employee's absence. Allows the Administrator, when appropriate, to waive such limit and provide a later ending date. Directs the Administrator to establish a process under which such a business may file a preliminary application for such assistance before the date on which the employee is ordered to active duty.

(Sec. 217) Authorizes the Administrator to provide economic injury disaster loans under circumstances caused by ice storms and blizzards.

(Sec. 218) Requires a report from the Administrator to the small business committees concerning the SBA's ability to provide disaster loans to small businesses that depend on high snowfall and sustain economic injury due to a lack of snowfall.

(Sec. 219) Authorizes the Administrator to carry out a program to refinance Gulf Coast disaster loans by providing an

option to defer loan repayment by up to four years after the original loan disbursement was made. Authorizes appropriations.

Title III: Oversight - (Sec. 301) Requires, 45 days after the end of each fiscal year, a report from the Administrator to the small business committees on SBA disaster assistance operations for that fiscal year.

Requires, during the period of a significant incident, the Administrator to report, on a monthly basis, on SBA disaster assistance operations with respect to that incident.

Actions Timeline

- **Aug 3, 2007:** Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 334.
- **Apr 19, 2007:** Received in the Senate.
- **Apr 18, 2007:** Rule H. Res. 302 passed House.
- **Apr 18, 2007:** Considered under the provisions of rule H. Res. 302. (consideration: CR H3511-3527; text of measure as reported in House: CR H3516-3519)
- **Apr 18, 2007:** Rule provides for consideration of H.R. 1361 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Small Business now printed in the bill, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole.
- **Apr 18, 2007:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 302 and Rule XVIII.
- **Apr 18, 2007:** The Speaker designated the Honorable Artur Davis to act as Chairman of the Committee.
- **Apr 18, 2007:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 1361.
- **Apr 18, 2007:** DEBATE - Pursuant to the provisions of H. Res. 302, the Committee of the Whole proceeded with 10 minutes of debate on the Chabot amendment numbered 1.
- **Apr 18, 2007:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Chabot amendment numbered 1, the Chair put the question on adoption of the amendment and by voice vote, announced the noes had prevailed. Mr. Chabot demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Apr 18, 2007:** DEBATE - Pursuant to the provisions of H. Res. 302, the Committee of the Whole proceeded with 10 minutes of debate on the Chabot amendment numbered 2.
- **Apr 18, 2007:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Chabot amendment numbered 2, the Chair put the question on adoption of the amendment and by voice vote, announced the noes had prevailed. Mr. Chabot demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Apr 18, 2007:** DEBATE - Pursuant to the provisions of H. Res. 302, the Committee of the Whole proceeded with 10 minutes of debate on the Jindal amendment.
- **Apr 18, 2007:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 1361.
- **Apr 18, 2007:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union.
- **Apr 18, 2007:** The previous question was ordered pursuant to the rule. (consideration: CR H3525)
- **Apr 18, 2007:** Mr. McHenry moved to recommit with instructions to Small Business. (consideration: CR H3525-3526; text: CR H3525)
- **Apr 18, 2007:** DEBATE - The House proceeded with ten minutes of debate on the motion to recommit with instructions on H.R. 1361. The instructions contained in the motion seek to require the bill report the same back to the House with an amendment that says if a person or small business is convicted of a crime under the Federal or State law, the person or small business shall not receive assistance under the Small Business Act.
- **Apr 18, 2007:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H3526)
- **Apr 18, 2007:** On motion to recommit with instructions Failed by recorded vote: 204 - 218 (Roll no. 224).
- **Apr 18, 2007:** Passed/agreed to in House: On passage Passed by recorded vote: 267 - 158 (Roll no. 225).
- **Apr 18, 2007:** On passage Passed by recorded vote: 267 - 158 (Roll no. 225).
- **Apr 18, 2007:** Motion to reconsider laid on the table Agreed to without objection.
- **Apr 18, 2007:** The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 1361.
- **Apr 17, 2007:** Rules Committee Resolution H. Res. 302 Reported to House. Rule provides for consideration of H.R. 1361 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule

XXI. The amendment in the nature of a substitute recommended by the Committee on Small Business now printed in the bill, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole.

- **Mar 30, 2007:** Reported (Amended) by the Committee on Small Business. H. Rept. 110-82.
- **Mar 30, 2007:** Placed on the Union Calendar, Calendar No. 47.
- **Mar 15, 2007:** Committee Consideration and Mark-up Session Held.
- **Mar 15, 2007:** Ordered to be Reported (Amended) by the Yeas and Nays: 17 - 9.
- **Mar 8, 2007:** Committee Hearings Held.
- **Mar 6, 2007:** Introduced in House
- **Mar 6, 2007:** Referred to the House Committee on Small Business.